

**Village Council
Monday,
October 4, 2010
7:00 PM**

Minutes

Call to Order: Mrs. Rush-Ekelberry called the meeting to order at 7:33pm

Pledge of Allegiance: Mrs. Mershon led the Pledge of Allegiance.

Roll Call:

John Bender	Rick Deeds	Bobbie Mershon	
Marilyn Rush-Ekelberry		Leah Turner	James Wynkoop

Mr. Deeds moved to excuse Mr. Donahue; seconded by Mr. Wynkoop.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed.

Approval of Minutes:

Dr. Bender moved to approve the minutes from the September 20th, 2010 Public Hearing and general Council meetings; seconded by Mr. Deeds.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop,
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Mrs. Mershon abstained. Motion passed.

Communications & Petitions:

A presentation was given by **Amelia Costanzo** of the Mid Ohio Regional Planning Commission (MORPC) of the Regional Plan – Shaping our Future. Ms. Costanzo stated that it is more of a framework than a plan. She hopes that it will be helpful resource for communities and groups from the county level to neighborhood level that made need coordination with other agencies or need funding. Information was handed out. Their scope includes Fairfield, Franklin and 10 other counties in the area. They have 6 goals, which she discussed at her last presentation before Council. They are currently developing objectives so that they may reach these goals. In a few months, she will be coming back to hear comments on the proposed objectives. Any questions, please contact her directly or through email, which is on the information packet.

A thank you was received from The Canal Winchester Community Food Pantry for the Village's participation in Football for Food.

Mr. Deeds moved to remand ordinance O-10-05F to Planning and Zoning for reconsideration as the site plan has changed; seconded by Dr. Bender.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed.

5 minute recess was taken at this time.

Village Residents Comments:

Five-minute limit per person

Mr. Corbett, President of the Charleston Lakes Homeowners association, thanked Mr. Wood and Mr. Visco for coming to the condos and taking the time to speak, but believes that the actual problems were not addressed. They have asked Fairfield Homes to meet with them to speak and they have failed to do so. He believes that the P&Z Commission has already made a decision and the community has spoken. There will be no security manager on site and they do not want that. It seems that the only people that want this project are the people that will make money off of it. There could not be a place less adequate for this development. Most importantly, in all the meetings, no residents have said they would like the development at this location.

Mr. John Lewis stated that he is new to the community and moved to the Village 2 years ago. He spoke to Mr. Gorsuch, Mr. Wood and Mr. Visco. He stated that the residents really need to know what Council plans to do with this proposal. His business is financial management and most of his clients are over 55. There are many great, nice low-income housing for seniors. He believes that everyone deserves a great place to live, but he hasn't seen a development like this ever built in the middle of a neighborhood with \$200,000 homes all around it. All the other towns did not have Columbus growing closer and closer, bringing crime and renter mentality. All of the senior housing that he's seen is built in older sections of town or tucked out of sight, like David's Way or Pershing House. This project would greatly change the look of the drive into downtown Canal Winchester. This is 2 whole acres of land with a huge building. Property values have already been affected by the economy and building any type of rental property near homes is shown to bring values down further. Everyone moved here for small town feel; peace safety and consistent property values. The higher property taxes should help to keep this benefit.

After speaking several times to Mr. Woods, he is convinced that Mr. Woods believes this is good for the property and good for the Village, but being an independent business-owner, who understands how difficult it is to come up with a plan and make it profitable, he sees it differently. He plans on retiring here and hopes that his parents can live in a senior housing development in Canal at some point, just not at this location. He looks forward to working with Mr. Woods on his next great idea.

Bob Davis, of Charleston Lakes, stated that he can't dispute the architects, but now that the building is going from 3 stories to 2 stories, how can they keep the same number and size of units when the foot print did not increase by 59%?

ORDINANCES:

THIRD READING

Sponsor: Mr. Donahue

O-10-09B AN ORDINANCE TO AUTHORIZE THE MAYOR AND FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH SEALS CONSTRUCTION, INC. FOR THE CONSTRUCTION OF ROADWAY AND PARKING AT WALNUT CREEK PARK

Mr. Wynkoop read the ordinance and moved to approve Ordinance 40-10; seconded by Mrs. Mershon.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
 Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed.

FIRST READING

Sponsor: Mrs. Rush-Ekelberry

O-10-10A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT FOR PROSECUTION OF CRIMINAL CASES IN THE FRANKLIN COUNTY MUNICIPAL COURT AND CERTAIN CIVIL DIVISION CASES FOR THE CALENDAR YEAR 2011 WITH THE CITY OF COLUMBUS ATTORNEYS OFFICE.

Mrs. Rush-Ekelberry read the ordinance; first reading only.

Sponsor: Dr. Bender

O-10-10B AN ORDINANCE TO AUTHORIZE THE MAYOR TO PAY TO DAVE C MCCARTY LONGEVITY PAY UPON HIS RETIREMENT WITH 30 YEARS SERVICE TO THE VILLAGE.

Dr. Bender read the ordinance; first reading only.

Sponsor: Mr. Deeds

O-10-10C AN ORDINANCE TO AMEND THE 2010 APPROPRIATION ORDINANCE 61-09 Amendment #4

Mr. Deeds read the ordinance; first reading only.

Sponsor: Dr. Bender

O-10-10D AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF THE RIGHT OF WAY NECESSARY FOR THE RECONSTRUCTION OF GENDER ROAD PHASE 1 AND DECLARING AN EMERGENCY.

Dr. Bender read the ordinance and moved to suspend the rules for the 2nd and 3rd readings and declare an emergency; seconded by Mrs. Mershon.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
 Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed.

Dr. Bender moved to adopt Ordinance 41-10; seconded by Mr. Wynkoop.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
 Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed.

Tabled Ordinances

Sponsor: Mrs. Rush-Ekelberry (Postponed Indefinitely at Third Reading)

O-10-05F AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING 1.9 ACRES FROM GENERAL COMMERCIAL (GC) TO PLANNED RESIDENTIAL DISTRICT (PRD), OWNED BY WATERLOO CROSSING LIMITED, LOCATED ON THE SOUTHWEST SIDE OF WEST WATERLOO STREET, APPROXIMATELY 100 FEET WEST OF WINCHESTER CEMETERY ROAD

Brought back on the table earlier in the meeting and remanded to Planning and Zoning.

Mayor's Report:

Nothing to add to the written report.

Fairfield County Sheriff:

Sgt. Kern read the report.

Dispatched calls went up by about 40, but seem to be in line with the numbers from the last two years.

Village Solicitor:

Mr. Hollins did ask for an Executive session to discuss the purchase or sale of real estate.

Finance Director:

Healthcare rates will not increase in 2011. They have gone up 9% for family and 8% for single over the last 10 years.

A draft for a job description for HR Coordinator was given to Council for review. Please forward comments to Ms. Osborn.

The Gender Rd ROW acquisitions will continue to come in front of Council in the coming meetings. Safety Committee meeting will be cancelled for Wednesday, October 6th.

Public Works Director:

Nothing to add to the written report.

Development Director:

Mr. Dutton noted that the Planning and Zoning meeting for Monday is very full and they may need a special meeting for the Charleston Lake residents. Mr. Hollins stated that they will email residents and see when they are available and get that meeting date set.

Community Affairs Director:

We are taking photos for Veterans Day to be on display for the month of November.

Winter events - Breakfast with Santa will be expanded to two days with 75 people at each sitting.

The employee appreciation dinner will be January 8th at Shade on the Canal; invitations will be sent out closer to the date.

Mr. Deeds stated that a resident asked him about an article in the paper that said the rate SWACO rate increase would be \$.50 / person and was getting that confused with the rate increase from Waste Management.

Mr. Deeds asked if a resident has the choice of whether to use Waste Management

Council Reports:

Old Town Committee	Monday, October 11, 2010 at 5:45 PM
Finance Committee	Monday, November 1, 2010 at 5:45 PM
Service Committee	Monday, October 18, 2010 at 5:45 PM
Safety Committee	Wednesday, October 6, 2010 at 9:00 AM — 36 S High St - LLCR
Committee of Whole	Monday, November 29, 2010 at 6:30 PM
CW Joint Recreation District Representative	
CW Human Services Representative	
Main Street Canal Winchester Representative	
Canal Winchester Industry & Commerce Corporation Representative	

Old/New Business:**Bakitis Appeal Facts & Findings**

Mr. Bakitis stated that he was asked at the last meeting to come up with cost comparisons and he brought that information back to the Council. Siding was \$7208.00 and the composite would be \$10,404.00 and need to be painted within 5-10 years. House painting would cost \$5500.00 plus \$2200 for the safety precautions while scraping the paint off and then would need repainted every 4 years or so. The most economical solution is to have it sided. He believes that the actions of P&Z were inconsistent, at best, with the Preservation Guidelines.

Mr. Hollins stated that his office did prepare a draft of a decision. The facts, as understood, were repeated, as well as, the current Preservation Guidelines on additions and the process for the change of the exterior. Page 4 number 4 states that the determination, applying the guidelines to the facts as we understand them, ends with this analysis. Council determines that the application, documentation and testimony for the vinyl siding was incomplete, as there was no documented history of paint problems and efforts to solve them for the last 5 years and a detailed cost comparison of painting vs. replacement. The location, design and materials of the addition should be revisited based on the complete application for vinyl siding. That is strictly applying the guidelines to the facts. This will be remanded to Planning and Zoning and given the chance to submit a complete application. They believe that part of the reason for the negative response was the incompleteness of the application. This is simply a draft and Council is free to make any revisions and additions as necessary tonight.

Mr. Bakitis added that the P&Z decisions have been inconsistent. A house in the same area did not have to go through all of this process and it looks great. A common sense approach needs to be made.

Mr. Dutton stated that the process changed in December 2009 and that house that was referenced went through the process before that date.

Mr. Deeds wanted to make sure that P&Z went through the whole application and weighed in on all the elements. Mr. Hollins stated that Council may take this opportunity to communicate anything back to Planning Commission.

Mrs. Turner feels strongly that a precedent has been set and he should be allowed to put siding on his house.

Dr. Bender asked about the committee studying the guidelines. Further discussion ensued.

Dr. Bender moved to approve the Facts and Findings and remand the issue back to Planning and Zoning; seconded by Mr. Deeds.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop,
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Mrs. Mershon abstained. Motion passed.

A presentation by Wagenbrenner Development and the NRP Group regarding a proposal for the “Davis Paint” property.

Joe Williams, of the Wagenbrenner Development Group, brought preliminary plans for a proposed senior housing development on the “Davis Paint” property. This development company is known for historic renovations. They fell in love with the site and thought it was a perfect opportunity for a senior housing development. Rob Harris is the architect and is not in attendance tonight, but they will show the plans and pictures. The project is on 1.2 acres and will have 46 units. It will be an urban design, hugging the sidewalk. The site plans and traffic plans were presented to Council. The floor plan will be present an active commercial area on Waterloo. It will look commercial then tailor back to residential. It will be recessed and staggered to look like separate store fronts; fitting in well with old Canal Winchester. The initial meetings with P&Z, Landmarks and Main Street went very well.

Mary, from the NRP Group, discussed the project. They will have a professional decorator do the property. Interaction for the seniors is encouraged. 2nd /3rd floor community rooms will have game rooms, quilting room, crafting room, computer room and library with fireplace. This will have a fitness center and will implement “Stay Fit Seniors”. The equipment like Curves will be available on site and open 24 hours a day; covered by Medicare. All units are 900 sq feet and have two bedrooms. There is also storage available on site for Christmas tree, etc. This will be for 55 and older and 60% of the adjusted median and under in income. She stated that many qualify because Social Security income is counted and then only the interest from their assets is counted. They may have many assets, but they don’t count toward their qualifications.

There will be 59 parking spots and anticipate 30-35 cars from the residents. The rest would be available to the general public. They like the seniors to be able to live in a walk-able neighborhood and love that it is adjacent to the Community Center. Further discussion ensued.

Adjourn to Executive Session:

Mr. Deeds moved to adjourn to executive session; seconded by Mrs. Mershon.

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed. Time out 8:50pm Time back in 9:35pm

Adjournment:

Mr. Deeds moved to adjourn the meeting; seconded by Mrs. Turner

VOTE: **AYES** Dr. Bender, Mr. Wynkoop, Mrs. Mershon
 Mrs. Rush-Ekelberry, Mrs. Turner, Mr. Deeds

NAYS

Motion passed. Time out 9:36pm

Clerk of Council

President of Council

Date

Mayor

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.